

T H E T O W N O F  
**MERRIMAC**

56911 State Highway 113 – P.O. Box 115  
Merrimac, WI 53561

**MINUTES OF THE TOWN BOARD MEETING**  
**Wednesday, October 6, 2010**

Present were Steve Peetz, Chair, Supervisor John Gaedke, Supervisor Terry Frosch, and Tim McCumber, Town Administrator & Clerk – Treasurer. Also present were Town's Attorney Dick Cross and Attorney Ben Letendre.

Peetz called the **TOWN BOARD MEETING** to order. McCumber confirmed the meeting had been properly noticed. The board considered approval of minutes of the town board meeting of September 1, 2010. Motion by Frosch to approve, second by Gaedke. Motion passed. The board reviewed the financial reports and approval of bills. Motion by Peetz to approve, second Gaedke. Motion passed. Under **PUBLIC COMMENT**, Frank Olah said that Craig Karr of the DNR has said that a number of requests have come in requesting hunting on the property. Richard Grant said that he is concerned about the request for absentee ballots. Under **CORRESPONDENCE**, a second Open Records Request from the Republican Party of Wisconsin requesting absentee ballots; an invitation to a luncheon at the Prairie du Sac Library on October 11, 2010. The town also received notice from the Dept. of Transportation an acknowledgement of the town's interest in the wayside at Moon Valley. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, McCumber reported he attended the ATC Open House and that Lee Meyerhofer informed him there are few desirable corridors through the town and that they do not have a determination where the proposed line will go. McCumber also attended the annual Towns Association meeting. The town will have to replace all of the old street directional signs and develop replacement program because of new federal sign standards. Grant reported that he presented the resolution regarding land use at Parcel N (the Badger pumphouse). The Badger Oversight Committee approved the resolution with the exception of the DNR who present it to their legal counsel. The DNR will make PILT payments on the property. There was no **UNFINISHED BUSINESS**. Under **NEW BUSINESS**, the board discussed Sauk County Board of Adjustment Town Acknowledgement form for filling and grading at tax parcel 026-1290-00000, Jonathan & Susan Lipp, applicant. Motion to acknowledge the form by Peetz, second by Frosch. Motion approved. The board then discussed a request for a fireworks permit by Devil's Head Resort for their annual New Year's Eve celebration. Motion to approve by Peetz, second by Frosch. Motion passed. The board was then presented a proposal to create a Sanitation Utility District that will provide a water utility to portions of the Town of Merrimac, Town of Prairie du Sac, and the Town of Sumpter and be constructed by the United States Army. Joan Kenney, Commander's Representative of the Badger Army Ammunition Plan gave the presentation. Kenney first introduced Attorney Connie Anderson, a municipal attorney with the firm of Stafford Rosenbaum. She has represented towns and villages and is responsible for seeking the best way to legally proceed with the process. It was first reported that site monitoring of groundwater will continue in accordance with the DNR's requirements for site closure. Anderson handed out state statute 60.71 outlying the process for approving a sanitation district. She said that the Town of Merrimac will take the lead on the review process because it will have the most property in the district. A petition will be filed by either 51% of the people in the district or 51% of the land owners. Once the petition is completed, the town board will receive it and has to have a public hearing within 30 days. The Army will have to file a bond at the board's request to cover our legal and engineering expenses. Within 30 days of the hearing, the town board will then have to issue findings showing the work is necessary for public safety, that the public health will be promoted, and the residents of district will benefit. The town will then issue an order that is filed with the DNR and recorded with the Register of Deeds office. Tom Fitzwilliams of MSA Engineering was introduced. He discussed that WI Administrative Code 811 outlines the requirements for a public water system. It would

Telephone: (608) 493-2588

Fax: (608) 493-2238

[www.Tn.Merrimac.Wi.Gov](http://www.Tn.Merrimac.Wi.Gov)

consist of a well, underground piping, and elevated storage. The first step would be to locate an adequate water source located outside of contaminated areas like septic systems and landfills. After the site is located, a test well will be placed. If the test well is successful, the final well would be inserted at that location. MSA field surveyors will be working along Hwy. 78 as part of the process starting next week as they survey the for the distribution system and locating the pipeline. Kenney said the army will fund the construction and 1<sup>st</sup> year operating cost in full. It would then subsidize the well for the continuing years to keep the cost of water in line with other area water systems. The system would also have improvements for fire suppression which will improve the town's fire rating for residential insurance purposes. The process with the town will run concurrent with the Army's process for engineering studies. Their report will also evaluate what needs to done with monitoring and water cleanup. The cost subsidy for operating the system will be paid in the form of an endowment. The PSC will determine the rates and the subsidy would be based off that. The Army has created a website for the project at <http://www.cleanwaterwelldone.com>. Peetz made a motion to express interest in exploring the Army's proposal and to create a sanitary district with McCumber, Attorney Cross and Peetz to work with the Army for the purpose of gathering information and negotiating for the board. Second by Frosch. The board will still have final approval on the district's creation and all agreements. Motion passed. The board then considered the appointment of Judy Ashford as alternate representative to the Badger Oversight and Management commission and its subcommittees. Ashford will fill in whenever Dick Grant is not available to attend. Motion by Peetz, second by Frosch to approve the appointment. Motion passed. The board then considered the proposed 2011 budget and tax levy. Motion by Peetz to recommend the levy of \$205,301 for approval at a Special Town Board meeting prior to the next Town Board meeting, second by Gaedke. Motion passed.

Motion by Frosch to adjourn. Second by Gaedke. Motion passed.